

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:
Thomas C. Baker	:
	Chapter 13
	Case No.: 23-10766-PMM
Debtor.	:

**MOTION TO SELL REAL PROPERTY FREE
AND CLEAR OF LIENS AND ENCUMBRANCES**

Thomas C. Baker (the “Debtor”), by and through their undersigned counsel, hereby move this Honorable Court to Sell their Real Property under Eastern District of Pennsylvania Local Rule 6004-1 and Section 363 of the United States Bankruptcy Code and in support thereof aver the following:

1. The Debtor filed the Chapter 13 Bankruptcy Petition on March 16, 2023.
2. The subject real property is located at 2525 S. Broad Street, Philadelphia, PA 19148 (the “Property”).
3. Debtors believe it to be in their best financial interest to sell the property.
4. On or about January 9, 2024, Debtor entered into an Agreement of Sale of the property in the amount of \$450,000.00. A true and correct copy of the Agreement of Sale is attached hereto and labeled as **Exhibit “A.”**
5. The buyer, Rebekah J. Sweeney, is not an insider of the Debtor and the sale represents an arms-length transaction between the parties, made without fraud and/or collusion.
6. Wilmington Savings Fund Society, FSB holds a mortgage in the approximate amount of \$242,853.44.
7. The Debtor is desirous of receiving the total exemption in the sum of \$27,900.00 from their portion of the sale proceeds plus any sums remaining after all claims are satisfied.

8. Any remaining proceeds after the Debtor's exemption shall be paid to and distributed by the chapter 13 trustee.

WHEREFORE, Debtors, by and through the undersigned counsel, respectfully request this Honorable Court to enter an Order: (i) Granting this Motion, (ii) Authorizing the Debtor to sell the Property to the proposed buyer under the terms of that Agreement for the Sale of Real Estate free and clear of liens, claims interests and encumbrances, and, (iii) Granting the Debtor such other and further relief to which they may be justly entitled.

Dated: January 26, 2024

/s/Brad J. Sadek, Esq.

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